

Remarks

Reconsideration of this Application is respectfully requested.

Upon entry of the foregoing amendment, claims 9, 10, and 41-46 are pending in the application, with claim 9 being the sole independent claim. Claims 26 and 27 are sought to be cancelled without prejudice to or disclaimer of the subject matter therein. Applicants reserve the right to prosecute similar or broader claims, with respect to the cancelled claims, in the future. These changes are believed to introduce no new matter, and their entry is respectfully requested.

The claims presented in this Application should be interpreted solely based on the file history of this Application, not the file history of any predecessor or related application. With respect to this application, Applicants hereby rescind any and all disclaimers of claim scope made in any parent application(s), any predecessor application(s), and any related application(s). The Examiner is advised that any previous disclaimer of claim scope, if any, and any references that allegedly caused any previous disclaimer of claim scope, may need to be revisited. Nor should any previous disclaimer of claim scope, if any, in this Application be read back into any predecessor or related application.

Based on the above amendment and the following remarks, Applicants respectfully request that the Examiner reconsider all outstanding objections and rejections and that they be withdrawn.

Rejections under 35 U.S.C. § 112

Claim 44

Claim 44 stands rejected under 35 U.S.C. § 112, second paragraph, for allegedly being indefinite for failing to particularly point out and distinctly claim the subject matter which the Applicants regard as the invention.

The Advisory Action indicates claims 9, 10, and 41-46 "would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claims(s)." (Advisory Action, p. 1) The Advisory Action alleges claims 26 and 27 are non-allowable which Applicants have cancelled herewith. (Advisory Action, p. 1) Therefore, dependent claim 44 is in condition for allowance. Accordingly, Applicants respectfully request the rejection of claim 44 under 35 U.S.C. § 112, second paragraph, be reconsidered and withdrawn.

Rejections under 35 U.S.C. § 103

Claim 26

Claim 26 stands rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over United States Patent No. 5,963,556 to Varghese et al. ("Varghese") in view of United States Patent No. 6,993,681 to Haynes et al. ("Haynes"). Applicants respectfully traverse the rejection and provide the following arguments to support patentability.

Without acquiescing to the merits of this allegation, Applicants have cancelled claim 26, without prejudice to or disclaimer of the subject matter therein, rendering the rejection under 35 U.S.C. § 103(a) moot. Applicants contend that the canceling of claim

26 does not give rise to any implication regarding whether Applicants agree with or acquiesce to the rejection under 35 U.S.C. § 103(a).

Claim 27

Claim 27 stands rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Varghese in view of Haynes and United States Patent No. 6,307,837 to Ichikawa et al. ("Ichikawa"). Applicants respectfully traverse the rejection and provide the following arguments to support patentability.

Without acquiescing to the merits of this allegation, Applicants have cancelled claim 27, without prejudice to or disclaimer of the subject matter therein, rendering the rejection under 35 U.S.C. § 103(a) moot. Applicants contend that the canceling of claim 27 does not give rise to any implication regarding whether Applicants agree with or acquiesce to the rejection under 35 U.S.C. § 103(a).

Claims 9, 10, and 41-46

Claims 9, 10, and 41-46 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Varghese in view of United States Patent No. 6,292,508 to Hong et al. ("Hong"). Applicants respectfully traverse the rejection and provide the following arguments to support patentability.

The Advisory Action indicates claims 9, 10, and 41-46 "would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claims(s)." (Advisory Action, p. 1) The Advisory Action alleges claims 26 and 27 are non-allowable which Applicants have cancelled herewith. (Advisory Action, p. 1)

Therefore, claims 9, 10, and 41-46 are in condition for allowance. Accordingly, Applicants respectfully request that the rejection of claims 9, 10, and 41-46 under 35 U.S.C. § 103(a) be reconsidered and withdrawn.

Conclusion

All of the stated grounds of objection and rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding objections and rejections and that they be withdrawn. Applicants believe that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Amendment and Reply is respectfully requested.

Respectfully submitted,

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